

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF IOWA  
CEDAR RAPIDS DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

vs.

MATTHEW JAMES HOWARD,

Defendant.

No. 1:18cr00029-JAJ

**ORDER ACCEPTING MAGISTRATE  
JUDGE'S REPORT AND  
RECOMMENDATION REGARDING  
DEFENDANT'S GUILTY PLEA**

***I. INTRODUCTION AND BACKGROUND***

On April 25, 2018, an Indictment was returned against defendant Matthew James Howard, charging him with making threats against a federal judge, in violation of 18 U.S.C. § 115(a)(1)(B) and mailing threatening communication, in violation of 18 U.S.C. § 876(c). On August 24, 2018, defendant appeared before United States Magistrate Judge Stephen B. Jackson, Jr. and entered a plea of guilty to Counts 1 and 2 of the Indictment. On this same date, Judge Jackson filed a Report and Recommendation in which he recommends that defendant's guilty plea be accepted. No objections to Judge Jackson's Report and Recommendation were filed. The court, therefore, undertakes the necessary review of Judge Jackson's recommendation to accept defendant's plea in this case.

***II. ANALYSIS***

Pursuant to statute, this court's standard of review for a magistrate judge's Report and Recommendation is as follows:

A judge of the court shall make a de novo determination of those portions of the report or specified proposed findings or recommendations to which objection is made. A judge of the court may accept, reject, or modify, in whole or in part, the findings or recommendations made by the magistrate [judge].


28 U.S.C. § 636(b)(1). Similarly, Federal Rule of Civil Procedure 72(b) provides for review of a magistrate judge's Report and Recommendation on dispositive motions and prisoner petitions, where objections are made, as follows:

The district court must determine de novo any part of the magistrate judge's disposition that has been properly objected to. The district judge may accept, reject, or modify the recommended decision; receive further evidence; or return the matter to the magistrate judge with instructions.

FED. R. CIV. P. 72(b)(3). In this case, no objections have been filed, and it appears to the court upon review of Judge Jackson's findings and conclusions, that there is no ground to reject or modify them. Therefore, the court **accepts** Judge Jackson's Report and Recommendation of August 24, 2018, and accepts defendant's plea of guilty in this case to Counts 1 and 2 of the Indictment.

**IT IS ORDERED.**

**DATED** this 31st day of October, 2018.

  
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JOHN A. JARVEY, Chief Judge  
UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF IOWA